

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

KENDALL L. RILEY,)
)
Plaintiff,) CIVIL ACTION NO.
)
v.) 2:19cv1070-MHT
)
)(WO)
THE DEPARTMENT OF)
CORRECTION FOR THE STATE)
OF ALABAMA, et al.,)
)
Defendants.)

ORDER AND JUDGMENT

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (Doc. 28) is adopted.

(2) Defendants' motion for summary judgment (Doc. 18) on plaintiff's claims for monetary damages in their official capacity (to the extent he brought such claims) is granted, and the claims are dismissed with prejudice.

(3) Defendants' motion for summary judgment (Doc.

18) on plaintiff's claim of excessive force is denied.

(4) Defendants' motion for summary judgment (Doc. 18) on plaintiff's claim of deliberate indifference is granted, and judgment is entered in favor of defendants and against plaintiff on his deliberate-indifference claim, with plaintiff taking nothing by his complaint on this claim.

(5) Plaintiff's claim for damages against defendant Alabama Department of Corrections is dismissed with prejudice.

(6) This case will be referred to the United States Magistrate Judge for mediation.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is not closed.

DONE, this the 5th day of December, 2022.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE